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GREENBERG & LIEBERMAN
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TAKOMA PARK, MD 20912

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OFFICE OF PETITIONS

In re Application of	:	
Judy Martin et al	:	
Application No. 10/064,858	:	ON PETITION
Filed: August 23, 2002	:	
Attorney Docket No. 37104112001	:	

This is a decision on the petition under 37 CFR 1.137(b), filed June 3, 2004, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03(c)(III)(C) and (D). The instant petition lacks item (2).

The fee required to revive the instant application is \$685, effective October 1, 2004. The petition submitted does not include an authorization to charge the fee to a deposit account

or to a credit card. Accordingly, before revival of this application can be effected, the petition fee in the amount of \$685 must be submitted.

Further correspondence with respect to this matter should be addressed as follows:

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Any questions concerning this matter may be directed to the undersigned at (571) 272-3218.

Frances Hicks

Frances HICKS
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Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy